

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DEBORAH D. BALLARD,)
)
Plaintiff,)
)
v.) Case No. 4:15CV1286 CDP
)
)
SAINT LOUIS PUBLIC SCHOOLS,)
et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

Plaintiff Deborah D. Ballard moves for the appointment of counsel to assist her in this employment discrimination action. Because plaintiff has demonstrated an adequate ability to present her claims to this Court, I will deny the motion.

Plaintiff brings this employment discrimination action pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, and the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.* Plaintiff now seeks the appointment of counsel to assist her with her claims. In deciding whether to appoint counsel for an indigent plaintiff, I should consider relevant factors, including the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, and the ability of the indigent to present her claims. *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998).

The facts of this case are not complex. Plaintiff alleges that she was discriminated against in her employment on account of her race, gender, and age. A reading of the complaint shows that plaintiff is able to investigate crucial facts. She has adequately identified the circumstances giving rise to her claims and the bases upon which she contends she is entitled to relief. With respect to the existence of conflicting testimony, I note that this case is in its preliminary stages. Whether and to what extent conflicting testimony exists with respect to the substance of plaintiff's claims will be evident upon further proceedings in the case. Finally, plaintiff's claim of unlawful discrimination in her employment does not involve a complex issue of law meriting the appointment of counsel at this time.

Because the factual nature of this case is not complex and plaintiff has provided the Court with details giving rise to her claims, I find that plaintiff is able to adequately present her claims to the Court.

Therefore, for all of the foregoing reasons,

IT IS HEREBY ORDERED that plaintiff Deborah D. Ballard's Motion for Appointment of Counsel [ECF #4] is denied without prejudice.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 21st day of December, 2015.